

In re PATENT APPLICATION of

PATENT

Inventor(s): Robl et al

APPLICATIONAppln. No. 09/685,061

Group Art Unit: 1632

#14

series code ↑ ↑ serial no.

Filed: October 6, 2000

Examiner: T, Thaian

Title: Embryonic or Stem-Like Cell Lines Produced by Cross Species Nuclear Transplantation and Methods for Enhancing Embryonic Development by Genetic Alteration of Donor Cells or by Tissue Culture Conditions

**TERMINAL DISCLAIMER**

(By Attorney)

**Re Double-Patenting Rejection**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned petitioner, an attorney of record, is hereby acting for the undernamed entity which is the 100% owner of all rights, title and interests in and to the subject application:

1. ☐ by virtue of being the inventor(s) and having not assigned this application
2. ☒ as shown by the Assignment recorded September 1, 1999 on Reel 010209 at Frame 0803  
(date)

3. ☐ as shown by the attached copy of the Assignment filed for recordal on \_\_\_\_\_

(date)

4. ☐ and, if the assignor in that Assignment is not the original owner (inventor(s)), the chain of title from the original owner to that Assignment as recorded on Reel \_\_\_\_\_ at Frame \_\_\_\_\_  
Reel \_\_\_\_\_ at Frame \_\_\_\_\_ Reel \_\_\_\_\_ at Frame \_\_\_\_\_

and hereby disclaims (except as provided below) the terminal part of the statutory term of any patent granted on the subject application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened (if at all) by any terminal disclaimer of:

5. ☒ any patent granted in regard to U.S. Application No. 09/260,468 filed March 2, 1999 \*  
09/809,018 March 16, 2001

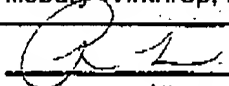
6. ☐ the earlier granted United States Patent No. \_\_\_\_\_

to which said entity also has legal title. Petitioner hereby reserves the right to extend the term of the patent, which issues on this application, for regulatory delay or otherwise as the law allows. Petitioner hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that it and the patent in the above line numbered 5 or 6 are commonly owned. This agreement runs with any patent granted on the subject application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the patent in line numbered 5 or 6 above, as presently shortened by any terminal disclaimer, of the above-listed patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Entity: Pillsbury Winthrop, LLC

Atty. Sig. 

Attorney of Record:

Name: Robin L. Teskin

Reg. No.: 35,030

Date: January 28, 2003

\* Attorney and client: Please note on that other file and also this appln. file not to assign either separately in view of this disclaimer.

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): ROBL et al.

Appl. No.: 09/ 685,061

Series Code ↑

Serial No. ↑

Filed: October 6, 2000

Hon. Commissioner of Patents  
Washington, D.C. 20231

Group Amt. 1632

Examiner: T. Ton

Atty. Dkt. P 0275492

M#

Client Ref

Appl. Title: Embryonic or Stem-Like Cell Lines  
Produced by Cross Species Nuclear  
Transplant, etc.

Sir:

**REPLY/AMENDMENT/LETTER**

Date: January 28, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. Small Entity claim A. <input type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input checked="" type="checkbox"/> made previously		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm					
2. Total Effective Claims		90	**minus	80	10	x \$18/\$9 =	+ \$90	103/203						
3. Independent Claims		4	***minus	4	0	x \$84/\$42 =	+ \$0	102/202						
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....						add	+ \$280/\$140 =	+ \$0	104/204					
5. Original due Date: November 28, 2002		<input type="checkbox"/> NONE												
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =	(2 mos)	\$410/\$205 =	(3 mos)	\$930/\$465 =	(4 mos)	\$1,450/\$725 =	(5 mos)	\$1,970/\$985 =	+ \$205		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract						- \$0								
8. Extension Fee						+ \$205								
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....						+ \$110/\$55	+ \$55	148/248						
10. If IDS attached requires Official Fee under Rule 97 (c), .....						add + \$180	+ \$0	126						
or if Rule 97(d) Request .....						add + \$180		126						
11. After-Final Request Fee per rules 129(a) and 17(r) .....						+ \$750/370	+ \$0	146/246						
12. No. of additional inventions for examination per Rule 129(b) .....						x \$750/375 ea	+ \$0	149/249						
13. Request for Continued Examination (RCE) .....						+ \$750/375	+ \$0	1179/1279						
14. Petition fee for .....						+ \$0								
15. TOTAL FEE =						\$350								
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".														
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.														
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.														

**PLEASE CHARGE OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 015837 0275492

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**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Robin L. Teskin

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments